D12

C.F. 71.

19 38

Department of Rev

OFFICE Bd of Rev

STATION Lahore

No. 140

C. 4921/37

Dated 19-1-38

DESPATCHED
21 JAN 1938

Pages in the file

(SUBJECT.)

Security (S. Kawaia) Huzur

treasury — Shroff MD Kasur — Fidelity Bond

alterations — approve

C.F. 32.

In reply, please quote number, date and short title.

REVENUE DEPARTMENT

Received ..... Registered 1937 6921

4 - AUG 1937

From (Name) M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,

(Designation) Collector of South Kanara.

Post Box ....., (Station) Mangalore.

Telegraphic Address .....

To

The Secretary to the Board of Revenue,

Madras.

Ref. No. 2857-37/B2, dated 31st July 1937.

Sir,

Enclosures 3

Spare Copies .....

Security - Shroff, Huzur Treasury - Fidelity Bond of Messrs. Beardsell and Co., Ltd. - Modifications in the form of the bond - Approval - Requested -

*****

The form of the fidelity bond No.1994 M. dated 29.7.1936 executed by Messrs. Beardsell & Co., Ltd., on behalf of H. Mahammad Kasim, Shroff, Taluk Office, Udipi, was accepted in Board's proceedings Mis.No.3109 dated 7.9.1936. The Shroff was recently transferred to the Huzur Treasury and he joined this new post on 7.6.1937. As the fidelity bond could not be made applicable to the shroff's present post, as worded at present, I have got the words "Shroff, Udipi Taluk Office" in the bond altered as "Shroff in the Revenue Department in the South Kanara district" and duly attested by Messrs. Beardsell & Co., Ltd. I request that this may be approved.

2. The security bond executed by the Shroff on 4.11.1936 recites his appointment as shroff, taluk office, Udipi and the duties pertaining to that post. I request ~~that~~ Board's orders whether a fresh security bond should be got executed by the shroff as he is now working in the Huzur Treasury.

3. The fidelity bond No.1994 M. the receipt for payment of the renewal premium for the year ending 19.7.38

and the security bond executed by the Shroff are

for reference and return.

JF4

I.F. 16.

DRAFT FOR

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT :—

Security (S. Kamara)
Huzur Treasury Shroff. Mahammad Kasim - Fidelity Bond of Messrs Beardsell and Co. and security Bond. Instructions solicited.

READ AGAIN _____, dated _____ 19__

" " _____ " _____ 19__

READ *ALSO* :—

No. 64921 From the Collr. of S. Kamara, No. Ry. 457/37 B2, dated 31.7.1937 Q.

" _____ " _____ " _____ " _____ 19__

" _____ " _____ " _____ " _____ 19__

Order / Resolution / Ms. / Rout. Ref No. 64921/37/1, dated 18.8.1937

Sir,

I am to forward herewith the fidelity bond of Messrs Beardsell and Co. Ltd. furnished as security by one Mahammad Kasim Shroff Huzur Treasury S. Kamara Dt. the fidelity bond is in standard that the shroff is in the employment of the "Secretary of State for India in Council". I am to request you whether any alterations are necessary to the fidelity bond

2. I also forward herewith the security bond furnished by

the Sheriff which he was Sheriff Taluk Office before. Kindly advise the Board whether a fresh security bond should be taken from the Sheriff, as he is now working in the Huzur Treasury, or whether the existing bond is sufficient. In the security bond the Sheriff is bound unto the 'Secretary of State for India in Council'. In Gov. No 639 Public Reforms Extract dt 1.4.37 it is ordered that all instruments made or executed on behalf of the Govt. of Madras shall be expressed to be made by or by the order of the Governor of Madras. Kindly advise the Board as to the exact terminology that should be used in the place of the words "Secretary of State for India in Council" in the Security Bond.

To

The Govt. Solicitor
with copy of the bond in letter
at pp 1-2 cf and 2 Bonds
and Gov. No 639 Public Reforms
1.4.37

C.I

In reply please quote number, date and short title.*

_____ DEPARTMENT.

Received _____ *Registered* C 5479

From (Name) H. M. Small Esq., M.A., LL.B.,

(Designation) Government Solicitor,

Post Box _____, (STATION) Madras.

Telegraphic Address _____

BOARD OF REVENUE
27 AUG 1937
MADRAS

To

The Joint Secretary, (L. & S. R.)
Board of Revenue,
Madras.

No. 2174., *dated* 26th August 19 37.

Sir,

ENCLOSURES _____

_____ 1-3-4 cf

SPARE COPIES _____

I have the honour to acknowledge receipt of your Ref. No. C 4921-37-1- dated the 18th instant with enclosures.

2 I have perused the Fidelity Bond of Messrs Beardsell & Co. issued on behalf of one Mahomed Kassim Shroff and I am of opinion that the bond should state that the employee is in the employment of "His Excellency the Governor of Madras."

3 With regard to paragraph 2 of your said letter as the bond now sent to me appears to relate only to the employment of Mr. Mahomed Kassim as Shroff of the Taluk Office at Udipi and as he is now employed in a different capacity a fresh bond should be taken from him. The words "Secretary of State for India in Council" appearing in line 4 of the bond should be deleted and the words "His Excellency the Governor of Madras (hereinafter called "the Governor") " should be inserted in its place. The words "Secretary of State for India in Council" wherever they occur should be deleted and the word "Governor" should be inserted in its place. I have indicated in pencil in the appropriate places the amendments that are necessary in the old bond.

4 I return herewith the enclosures sent to me.

I have the honour to be,
Sir,
Your obedient servant,
C Govindarajan
for Government Solicitor.

CG/KHR

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied	23/9	
When examined	24/9	
When signed		
When despatched.		

SUBJECT:— Secy to Govt - Form of bond - ~~when~~ Fidelity Bonds accepted as security - Instructions - Requested

READ AGAIN 24.9.37 dated 19

" " 19

READ *ALSO*:—

No. c 4924 From the Advy S. Kanara, No. Ry 2857.3).A.2 dated 31.7.193) — Q p14

" Bd's Ry c 4521.37.1 of 18.8.3) - Q p34 19

" c5479/37 " Govt. Solicitor " 2174 " 26.8.193) — Q p34

Order Ms. Resolution Rout. No. Rst c 4921.37 dated 20.9.193

The Board invites the attention of Govt. to form No 6 in Appendix S.A to the M.F. H.C. Vol II and requests to be informed what words should be substituted for the words 'Secretary of State for India in Council' occurring in this form. The Govt. Solicitor has suggested that the words "his Excellency the Governor of Madras" should be substituted for the words "Secretary of State for India in Council". A copy of

17/9/37

the form as altered by the
Govt solicitor is submitted
for
?

20/9/37 20/9/37

to the Secy to the Govt of N.D
— to inform
Pp 7-13 of (J) to be
copied as corrected
in Council

Ref.No.2857-37-B2.

South Kanara Collector's Office,
Mangalore, dated 29 - 9 - 1937.

BOARD OF REVENUE
1 OCT 1937
MADRAS

From
M.R.Ry. Rao Bahadur M.V.Vellodi,Avl., B.A.,
Collector of South Kanara.

To
The Secretary to
The Board of Revenue, Madras.

Sir,

Security - Shroff, Huzur Treasury - Fidelity bond no.1994 of Messrs.Beardsell and Co, Ltd., - Modifications in the form of the bond - Approval - Requested -

My report Ref.No.2857/37-B2 dated 31.7.1937.

I request the favour of early orders.

For Collector.

Ref C 4521.37.3 dt 6-10-37
The question is under the consideration of Govt. and their orders are awaited
30.37
Ur. S. Kanara
8 OCT 1937

SECY.
25 V 37

Finance (Reforms) Department.

MEMORANDUM No.29764 Ref.C.R.II-1, dated 23rd November 1937.

Madras Financial & Account Code, Volume II - Appendix 5-A - Form (6) - Amendments.

25 NOV 1937

From the Board of Revenue No.C.4921-37-2, dated 20th Sep. 1937.

The Board of Revenue is informed that Form (6) in Appendix 5-A to the Madras Financial & Account Code, Volume II, should be amended as shown in the annexure to this Memorandum. An order indicating the amendments to be made in other similar forms also will be issued shortly.

T.A. Srinivasaraghava Ayyangar,
Assistant Secretary.

To the Board of Revenue (L.R. & S.) with encl.

FORWARDED.
(By Order).

R. Rangachari. 24.11.37
Superintendent.

ANNEXURE.

Annexure 17
Amendments to the Madras Financial & Account Code
Vol II - Appendix S-A -
Form (6)

(i) Page 44: In lines 2-3, for the words "the Secretary of State for India in Council", substitute the words "His Excellency the Governor of Madras (hereinafter called 'the Governor')".

(ii) Page 44: In lines 4-5, for the words "the Secretary of State in Council his successors or assigns or his or their certain attorney or attorneys" substitute the words "the Government of Madras (hereinafter called the Government), their successors or assigns or their certain attorney or attorneys".

(iii) Page 44:- In line 10, for the words, "the said Secretary of State in Council", substitute the words, "the Governor".

(iv) Page 45: In line 3, omit the words "he or".

(v) Page 45: In lines 9-10, omit the words "Sircars" and for the word "potdars", substitute, the word "shroffs".

(vi) Page 45: In line 12, for the words, "in the service of Government", substitute the words "in the service of the Crown"

(vii) Page 45: In lines 15, 19 and 38, for the words, "department rules" substitute the words "departmental rules".

(viii) Page 45: In line 26, for the words, "and his servants", substitute the words "and the servants of the Crown".

(ix) Page 45: In lines 40-41, and 49 delete the words "the Government of Madras".

(x) Page 45: In lines 43-44, for the words "servants of the said Secretary of State in Council or the said Government of Madras", substitute the words "servants of the Crown".

(xi) Page 46: In line 2, for the word "potdars" substitute the word "shroffs".

(xii) Page 46: In lines 14 and 16, for the words

"Provided always and it is hereby delcared and agreed by the said ..with the said Secretary of State in Council", substitute the words "Provided always and it is hereby declared and agreed by and between the parties hereto".

(xiii) Page 46: In lines 17-18, for the words "the Governor of Madras, substitute the words "the Government."

(xiv) Page 46: In lines 21-22, for the words "or his or their officers and servants", substitute the words "or the servants of the Crown."

(xv) In all other places, for the expression, "the said Secretary of State in Council his successors and/or assigns", substitute the expression "the Government their successors and/or assigns";

for the expression "the said Secretary of State in Council", substitute the expression "the Government"; and

for the expression "the Government of Madras", substitute the expression "the Government".

B

15

C.F. 10.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched		

SUBJECT :—

Security (S. Kanara) — Hizam Treasury — Shroff — H.B. Kasim — Fidelity bond of Mrs Beardsell & Co —

dated _____ 19____.

" _____ 19____.

READ *ALSO* :—

No._____ From the _____, No._____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution — Ms. / Rout. No._____, dated Rep C 4921/37-3 dt 14.12.1937.

Sir

With reference to your letter No 2174 dt 26-8-37 ~~bearing~~ on the subject referred to above I am to forward herewith a copy of the Govt Memo No 297.64 Rep-C.II-1 Fin (Reforms) dt 23-11-37 issuing certain amendments to the form of Security bond (Form No (6) in Appendix 5-A to the Madras Treasury and Account Code Vol II) ~~bond~~ I am to request you to be so good as to state whether ~~your opinion~~

~~that the words "H.E. the Governor~~ of Madras" should be substituted for the words "the Secy of State for India in Council" occurring in the Fidelity Bond issued by Messrs Begadsell & Co, on behalf of Mr Krassin who is employed as Supply in the Cur. Dept in the S. Kanara dt, requires any modification. Any other amendments to the Fidelity Bond ~~which may be found necessary~~ in the light of the allocations made by the Govt to the Security bond ~~may also be in the bond may also~~ be intimated.

The amendments suggested by you in your letter No. 2171 dy 26-8-37 to the Fidelity Bond enclosed requires any modification or ~~[illegible]~~ whether any further amendments are necessary.

To the Govt Solicitor

with ~~[illegible]~~ copy of Govt Memo No. 29764 Fin & 23-11 and two lean original to ~~the Fidelity bond~~ can be returned

(Encl. sent by R.P. ~~[illegible]~~
Bdn sent by P.S. ~~[illegible]~~)

14-11-37
[illegible]

Ref.No.2857-37-B2.

South Kanara Collector's Office,

Mangalore, dated 8 - 12 - 1937.

C8485

BOARD OF REVENUE
11 DEC 1937
MADRAS

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,

Collector of South Kanara.

To

The Secretary to the Board,

Land Revenue & Settlement,

M a d r a s.

Sir,

Security - Shroff, Huzur Treasury - Fidelity bond No. 1994 M. of Messrs. Beardsell and Co., Ltd., - Modifications in the form of the bond - Approval - Requested.

My report Ref.No. 2857-37-B2 dated 31-7-1937 and Board's Reference No. C. 4921-37-3 dated 5-10-1937.

I request the favour of early orders.

For Collector. 9.12.37

9.12.37

C. 8485/37

Ref: C. 4921/37-5 dt. 15.12.37

The Coll. is informed that the matter has been referred to the Govt. Solicitor, Madras and that final orders will be passed in due course

15/12

DESPATCHED
17 DEC 1937

S. Kanara - 14.12.37

19

_____ DEPARTMENT

- reply, please quote number, date and short title.*

*Received*_____ *Registered* 6844

From (Name) H.M. Small Esq., M.A., LL.B.,

(Designation) Government Solicitor,

Post Box_____, (Station) Madras.

*Telegraphic Address*_____

BOARD OF REVENUE 28 DEC 1937

To

The Joint Secretary, (Land & Separate Revenue),
Board of Revenue,
M a d r a s.

No. 3420, *dated* 22nd Decbr. 1937.

Sir,

I have the honour to acknowledge receipt of your letter No.C.4921-37-3 of the 14th instant with enclosures which are herewith returned.

2. I am of opinion that no alterations are necessary in the Fidelity Bond other than those suggested in paragraph 2 of my letter No.2174 of the 26th August 1937.

I have the honour to be,

Sir,

Your obedient servant,

for Government Solicitor.

CG/RV

ENCLOSURES Nr 15-16 cf

SPARE COPIES

(Mr. J.F.H)

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied		
When examined		
When signed		
When despatched.		

SUBJECT :—

Security - (S. Kanara) - Huzur Treasury - Shroff - Md Kassim - Fidelity Bond - alterations - approved

READ AGAIN, dated 19.

C 4921/37 from the Coll of S. Kanara 19 } Q pt of
" " " " Ref No 2857-37 B2 & 31-7-37 19 }

READ *ALSO* :—

No. From the, No., dated 19.

" " " " " 19.

" " " " " 19.

Order Ms. No. (Misc) 140, dated 17-1-1938.
Resolution Rout ~~(Roads)~~

The Board approves the alterations in the Fidelity Bond executed by Messrs Beardsell & Co. Lt. on behalf of H. Md Kasim employed as Shroff in the Rev Dept in the S. Kanara dt, subject to the modification that the words "The Secretary of State for India in Council" occurring in lines 1 and 2 of the bond should be replaced ~~substituted~~ by the words "His Excellency the Governor of Madras". The Coll is

requested to have the necessary corrections carried out and duly attested by the Company.

2. The Coll. is also requested to obtain a fresh Security bond from the Shroff embodying therein the amendments issued in G.O No 405 Finance dated 22-11-37 – (copy enclosed) ~~Communicated~~ ~~with 2 B.P. Lines~~

6/11.38

To the Collr of S. Kanara with a sp. copy of G.O No 405 Fin dt 22-11-37 and with two bonds in original

A.D.C. for Collr (to be sent by Registered Post)

No. 094 For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters not exceeding 2½ tolas or one ounce in weight or on which no acknowledgment is due. Rs. As. Date-stamp.

Received a registered* addressed to Collector Kanara Mangalore

Initials of Receiving Officer. * Write here "letter," "postcard," "packet" or "parcel" with the word "Insured" before it when necessary.

If insured. Insured for Rs. (in figures) (in words)

Weight Rates Tolas

Insurance fee Rs. As. (in words).

Name and address of sender.

INDIA POST

Note File

Security (S. Kamona) Hsaw Treasury

Shriff. Muhammad Kasim - Fidelity Bond

of Messrs. Brandsell and Co - Rangoon

Letter C4921/37 from the Addl. Y. of S. Kamona Rg. 285737BA.

To T.S.(A)

Please see the Collector's letter at

'A' 1-2-c.f

2. The alterations mentioned in

para 1 of the Collector's letter have been

carried out in the Fidelity Bond and gt.

attested by the company. In lieu 2 of the

Fidelity Bond, it is stated that the sheriff

is in the employment of the "Secretary of

State for India in Council". These words

will have to be altered. The Govt. solicitor

may be requested to state what alterations

are necessary in the fidelity bond.

3 The Govt. Solicitor may

also be requested to state whether

fresh security bond should be got from

the sheriff, as he is now working in

the Hsaw Treasury or whether the one

executed by him as sheriff, Tabule Office bond

would be sufficient. In the security bond

of sheriff is bound unto the "Secretary

State for India in Council". In Gov. No. 639

Public (Reforms) dt 1.4.37 it has been ordered that all orders or instruments made or executed on behalf of the Govt. of Madras shall be expressed to be made by or by the order of the Governor of Madras. The present bond is executed, in favour of the Govt. by the sheriff. The Govt. Solicitor may be requested to state the exact terminology that should be used in the place of the words "Secretary of State for India in Council".

o A.I.I

Bunge submitted

18.8.37

17.8.37
17/8

Issued on Bd's Rly c 4921-37-1 dt 18.8.37
5479/37 from the Govt. Solicitor No 2174 dt 26.8.37
To I.S.(A)

The alterations in the Fidelity bond, ~~executed~~ carried out by Messrs Beard sell and Co. may be approved with the remark that the words ~~Govt.~~ "~~Government of~~ His Excellency the Governor of Madras" should be substituted

the words "The Secretary of State for India in Council" occurring in lines 2 to 3 of the Bond

2. The collector may be requested to get a fresh security bond executed by the staff on the lines suggested by the Govt. Solicitor. For orders

D
28/8/37

Ja
1:1.

The following note is submitted as orally ordered:-

3. Under Art. 77 M F Art. VIII Heads of departments are authorised to accept fidelity bonds executed by approved firms in consultation with law officers, if necessary. As there is no regular standardised form for fidelity bonds to be executed by approved firms, the Govt. Solicitor is consulted whenever a change is necessary in the form. As the words "Secretary of State for India in Council" occurred in line 2 of the form of the fidelity bond the Govt. solicitor was requested to advise the Board as to the words to be substituted in their place.

When the fidelity bond

has been approved as security, the sheriff has to execute a security bond. The form of the bond is at pp 44-46 of M F (Ac) Vol II. This form makes reference to the Secy of State for India in Council." Amendments to the form have not yet been received. The Govt Solicitor was consulted as to whether a fresh security bond was necessary, in view of the fact, that the sheriff was transferred from the T office to the Treasury and also what amendments to the security bond was necessary.

3. Attention is invited to Govt No 2 F 7 (Fin) dt 31.7.32) in which the Govt issued certain amendment to the form of mortgage bond for advances for the purchase of motor cars etc. The mortg security bond at pp 7-13 of (J) is Form No. 6. prescribed in Appendix 5-A to M F (Ac) Vol II. As it will take some time for Govt to revise the form of security bond it is for orders whether the form as revised by the Govt Solicitor may be sent to Govt and they may be requested to state whether it may be adopted

pp 44-46 of Bk No 19

pp 7-13 of (J)

JS (A)

Dy 10/9/37 JS 14-9-37 AL 15/9/37

Ask Govt what is words to be substituted for the "S. of S. in Council" in this form (Security Bond) are, adding that the Govt Solicitor has suggested the substitution of "H.E. the Govr. of Madras" AL 16/9/37

Pr 13-14 SF.

The Govt have since issued amendments to the form of security bond printed at pp 44-46 of M.E.I. Act Vol II. It is observed that the expression to be used for the words "the Secy of State for India in Council" varies with the context. In the circumstances the amendments now issued by the Govt. for the form of security bond may be sent to the Govt Solicitor and he may be requested to state whether his opinion that the words "H.E. the Governor of Madras" should be substituted for the words "the Secy of State for India in Council" occurring in the form of the Fidelity bond requires any change. He may also be requested to state whether any other amendments are necessary to the form in the light of the alterations made by the Govt to the other forms

e.g. Pr 1 to 10 A & B of Pr 13 & 14 SF

Pr 2 & 2 Pr 5 J.

Pr 3 & (J)

13.12.39

11.12.39

in the present case, has suggested a further amendment to the form of the bond to the effect that the words "The Secy. of State for India in Council" (occurring in lines 1 to 2) should be substituted by the words "His Excellency the Governor of Madras". The alterations in the bond may therefore be approved subject to the modification suggested by the Govt. Solicitor and the Coll. asked to have the necessary corrections carried out and duly attested by the Co.

Security Bond - The Govt. Solicitor is of opinion that a fresh bond should be executed by the Shroff (as the Shroff has been transferred to the Huzur Treasury) The Coll. may be informed accordingly and he may be asked to embody in the bond the amendments since approved by the Govt. in the form of the bond (Vide pp 11-14 cf)

2 With reference to the concluding sentence of the Govt. Memo at p 11 cf, the Govt. have since issued the necessary amendments to the various forms

in the Madras Financial and Accounts Code These will be communicated to all colleges separately

7/38

M.1

4.1.38

6/38

Approved throughout

10.7.88

JS (A)

Draft submitted

5.7.88

1.1.38

11/38

Issued as Bdi Def Ivo. C 4921/37-3 & 14.12.37 } H. 15-16 c.

C 8840/37 - From the Govt. Solicitor No. 3420/ & 22.12.37 - p 19 of

M 1

S (A)

JS (A)

In his letter at pp 1-2 c the Colly. of S. Kanara requested the approval of the Board to certain alterations in the Fidelity Bond executed by Messrs Beardsell & Co. Ltd on behalf of H. M.D. Kasim employed as Sheroff in the Rev. Dept in the S. Kanara dt. He also solicited the orders of the B.D. whether the Sheroff should also execute a fresh Security Bond

" p 3 of (J)

p 1 of (para 2)

Fidelity Bond - Under Art-77 (1) of M.F.A.C Vol I, heads of depts are authorised to accept Fidelity bonds executed by approved firms in consultation with law officers if necessary. As there is no regular standardised form for fidelity bonds, the Govt. Solicitor is consulted whenever a change in the form is called for. The Govt. Solicitor who was accordingly consulted

p 41 of Bk No. 18